

## Message Text

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PAGE 01 STATE 201049  
ORIGIN NEA-10

INFO OCT-01 ISO-00 SSO-00 SS-15 ACDA-10 FEA-01 NSCE-00  
CIAE-00 INR-07 IO-14 L-03 NSAE-00 EB-08 NRC-07  
OES-07 DODE-00 ERDA-07 SP-02 PM-05 TRSE-00 INRE-00  
/097 R

DRAFTED BY NEA:N A VELIOTES:JD  
APPROVED BY NEA:N A VELIOTES  
DESIRED DISTRIBUTION  
T, NEA

-----025324 240052Z /62  
O 232353Z AUG 77  
FM SECSTATE WASHDC  
TO AMEMBASSY TEL AVIV IMMEDIATE

UNCLAS STATE 201049

FOR AMBASSADOR

E.O. 11652: N/A

TAGS: PFOR US IS

SUBJECT: SECTIONS OF FAA RELATING TO NUCLEAR TRANSFERS

--

FOLLOWING SECTIONS OF FOREIGN ASSISTANCE ACT, AS AMENDED BY  
INTERNATIONAL ASSISTANCE ACT OF 1977, ARE REPEATED FOR  
YOUR BACKGROUND.

BEGIN TEXT:

SECTION 669. NUCLEAR ENRICHMENT TRANSFERS - (A) EXCEPT AS  
PROVIDED IN SECTION (B), NO FUNDS AUTHORIZED TO BE APPRO-  
PRIATED BY THIS ACT OR THE ARMS EXPORT CONTROL ACT MAY BE  
USED FOR THE PURPOSE OF -

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(1) PROVIDING ECONOMIC ASSISTANCE;  
(2) PROVIDING MILITARY OR SECURITY SUPPORTING ASSIST-  
ANCE OR GRANT MILITARY EDUCATION AND TRAINING; OR  
(3) EXTENDING MILITARY CREDITS OR MAKING GUARANTEES TO  
ANY COUNTRY WHICH ON OR AFTER THE DATE OF ENACTMENT OF THE  
INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT CONTROL  
ACT OF 1977 -

(A) DELIVERS NUCLEAR ENRICHMENT EQUIPMENT, MATERIALS, OR TECHNOLOGY TO ANY OTHER COUNTRY; OR  
(B) RECEIVES SUCH EQUIPMENT, MATERIALS, OR TECHNOLOGY FROM ANY OTHER COUNTRY; UNLESS BEFORE SUCH DELIVERY -

(I) THE SUPPLYING COUNTRY AND RECEIVING COUNTRY HAVE REACHED AGREEMENT TO PLACE ALL SUCH EQUIPMENT, MATERIALS, OR TECHNOLOGY, UPON DELIVERY, UNDER MULTILATERAL AUSPICES AND MANAGEMENT WHEN AVAILABLE; AND

(II) THE RECIPIENT COUNTRY HAS ENTERED INTO AN AGREEMENT WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY TO PLACE ALL SUCH EQUIPMENT, MATERIALS, TECHNOLOGY, AND ALL NUCLEAR FUEL AND FACILITIES IN SUCH COUNTRY UNDER THE SAFEGUARDS SYSTEM OF SUCH AGENCY.

(B)(1) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, THE PRESIDENT MAY FURNISH ASSISTANCE WHICH WOULD OTHERWISE BE PROHIBITED UNDER PARAGRAPH (1), (2), OR (3) OF SUCH SUBSECTION IF HE DETERMINES AND CERTIFIES IN WRITING TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE THAT -

(A) THE TERMINATION OF SUCH ASSISTANCE WOULD HAVE A SERIOUS ADVERSE EFFECT ON VITAL UNITED STATES  
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INTERESTS; AND

(B) HE HAS RECEIVED RELIABLE ASSURANCES THAT THE COUNTRY IN QUESTION WILL NOT ACQUIRE OR DEVELOP NUCLEAR WEAPONS OR ASSIST OTHER NATIONS IN DOING SO.

SUCH CERTIFICATION SHALL SET FORTH THE REASONS SUPPORTING SUCH DETERMINATION IN EACH PARTICULAR CASE.

(2) ANY JOINT RESOLUTION WHICH WOULD TERMINATE OR RESTRICT ASSISTANCE DESCRIBED IN PARAGRAPHS (1) THROUGH (3) OF SUCH SUBSECTION (A) WITH RESPECT TO A COUNTRY TO WHICH THE PROHIBITION IN SUCH SUBSECTION APPLIES SHALL, IF INTRODUCED WITHIN 30 DAYS AFTER THE TRANSMITTAL OF A CERTIFICATION UNDER PARAGRAPH (1) WITH RESPECT TO SUCH COUNTRY, BE CONSIDERED IN THE SENATE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 601(B) OF THE INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976.

SECTION 670. NUCLEAR REPROCESSING - TRANSFERS AND NUCLEAR DETONATIONS - (A) EXCEPT AS PROVIDED IN SUBSECTION (B), NO FUNDS AUTHORIZED TO BE APPROPRIATED BY THIS ACT OR THE ARMS EXPORT CONTROL ACT MAY BE USED FOR THE PURPOSE OF -

(1) PROVIDING ECONOMIC ASSISTANCE;  
(2) PROVIDING MILITARY OR SECURITY SUPPORTING ASSIST-  
ANCE OR GRANT MILITARY EDUCATION AND TRAINING; OR  
(3) EXTENDING MILITARY CREDITS OR MAKING GUARANTEES;  
TO ANY COUNTRY WHICH ON OR AFTER THE DATE OF ENACTMENT  
OF THIS SECTION -

(A) DELIVERS NUCLEAR REPROCESSING EQUIPMENT,  
MATERIALS, OR TECHNOLOGY TO ANY OTHER COUNTRY OR  
RECEIVES SUCH EQUIPMENT, MATERIALS, OR TECHNOLOGY  
FROM ANY OTHER COUNTRY EXCEPT FOR THE TRANSFER OF  
REPROCESSING TECHNOLOGY ASSOCIATED WITH THE INVESTI-  
GATION OF TECHNOLOGIES WHICH ARE ALTERNATIVES TO PURE  
PLUTONIUM REPROCESSING UNDER INTERNATIONAL EVALUATION  
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PROGRAMS WITH UNITED STATES PARTICIPATION; OR  
(B) IS NOT A NUCLEAR-WEAPON STATE AS DEFINED IN  
ARTICLE IX(3) OF THE TREATY ON THE NON-PROLIFERATION  
OF NUCLEAR WEAPONS AND WHICH DETONATES A NUCLEAR  
EXPLOSIVE DEVICE.

(B)(1) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A)  
OF THIS SECTION, THE PRESIDENT MAY FURNISH ASSISTANCE  
WHICH WOULD OTHERWISE BE PROHIBITED UNDER PARAGRAPH (1),  
(2), OR (3) OF SUCH SUBSECTION IF HE DETERMINES AND  
CERTIFIES IN WRITING TO THE SPEAKER OF THE HOUSE OF  
REPRESENTATIVES AND THE COMMITTEE ON FOREIGN RELATIONS  
OF THE SENATE THAT THE CESSATION OF SUCH ASSISTANCE,  
TRAINING, CREDITS OR GUARANTEES WOULD BE SERIOUSLY  
PREJUDICIAL TO THE ACHIEVEMENT OF UNITED STATES NON-  
PROLIFERATION OBJECTIVES OR OTHERWISE JEOPARDIZE THE COM-  
MON DEFENSE AND SECURITY. THE PRESIDENT SHALL TRANSMIT  
WITH SUCH CERTIFICATION A STATEMENT SETTING FORTH THE  
SPECIFIC REASONS THEREFORE.

(2) ANY JOINT RESOLUTION WHICH WOULD TERMINATE OR  
RESTRICT ASSISTANCE DESCRIBED IN PARAGRAPHS (1) THROUGH  
(3) OF SUCH SUBSECTION (A) WITH RESPECT TO A COUNTRY TO  
WHICH THE PROHIBITION IN SUCH SUBSECTION APPLIES SHALL,  
IF INTRODUCED WITHIN 30 DAYS AFTER THE TRANSMITTAL OF A  
CERTIFICATION UNDER PARAGRAPH (1) WITH RESPECT TO SUCH  
COUNTRY, BE CONSIDERED IN THE SENATE IN ACCORDANCE WITH  
THE PROVISIONS OF SECTION 601(B) OF THE INTERNATIONAL  
SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976."  
END TEXT.

CHRISTOPHER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CIVIL AVIATION, FOREIGN ASSISTANCE, NUCLEAR WEAPONS  
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**Copy:** SINGLE  
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**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
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**Disposition History:** n/a  
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**Drafter:** N A VELIOTES:JD  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Message ID:** 0abcde55-c288-dd11-92da-001cc4696bcc  
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**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**TAGS:** PFOR, EAIR, MNUC, US, IS, FAA  
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**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
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**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009